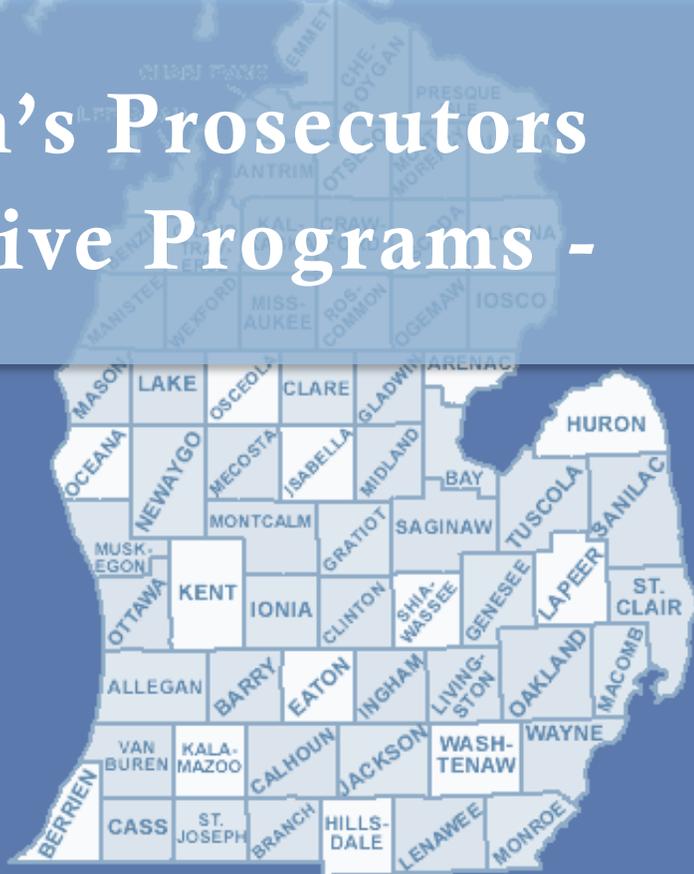


# Michigan's Prosecutors - Innovative Programs -



## National Prosecutors' Consortium

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May 2019

# Table of Contents

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<b>Acknowledgements</b> .....	1
<b>The Evolving Role of the Prosecutor</b> .....	2
<b>The National Prosecutors' Consortium</b> .....	3
<b>Overview Michigan Prosecutor Programs</b> .....	3
<b>Innovative Programs - Examples</b> .....	4
Kent County Prosecuting Attorney's Office.....	5
Muskegon County Prosecutor's Office.....	7
Marquette County Prosecutor's Office.....	9



# Acknowledgements

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The National Prosecutors' Consortium (NPC) is a collaboration between Prosecutors' Center for Excellence and Justice & Security Strategies funded by the Office of Justice Programs of the U.S. Department of Justice. This report was prepared by Kristine Hamann and Sarah Solano Geisler of Prosecutors' Center for Excellence. Special thanks to Larry Burdick, Cheri Bruinsma and Diana Collins of the Michigan District Attorney's Association for their outstanding support and guidance with this project. Thanks also to Prosecuting Attorneys Chris Becker, D.J. Hilson and Matt Wiese for contributing to this report.

The National Prosecutor Consortium project was supported by Award No. 2015-DP-BX-KOO4 awarded to Justice & Security Strategies, Inc. by the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this paper are those of the authors and do not necessarily reflect those of the Department of Justice.

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# The Evolving Role of the Prosecutor

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Over the last forty years, there has been a dramatic transformation and expansion of prosecutors' mission, to not only vigorously prosecute criminal cases, but also to engage in crime prevention, problem solving and community partnerships. Prosecutors' fundamental goal is to protect the community and ensure justice when enforcing the law. Traditionally, a prosecutor's role was a limited and relatively passive one - to evaluate and prosecute arrests made by the police.<sup>1</sup> That role has expanded and evolved significantly. The shift is driven by the need for more complex solutions that not only seek positive outcomes for victims, but also strive for long-term solutions for preventing crime and assisting those who are entangled in the criminal justice system.

Prosecutors are uniquely situated to be effective in carrying out these new initiatives. They play a pivotal role in the criminal justice system, making decisions and exercising discretion about whether to prosecute, whom to prosecute, and how to prosecute. Also, as leaders in law enforcement, prosecutors can work with the police and other partners to improve community relationships and to build trust in the criminal justice system.



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1. Catherine M. Coles, *Evolving Strategies in 20<sup>th</sup>- Century American Prosecution*, in *THE CHANGING ROLE OF THE AMERICAN PROSECUTOR*, 182-187 (John L. Worrall & M. Elaine Nugent-Borakov, eds., 2008).

# The National Prosecutors' Consortium

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The National Prosecutors' Consortium (NPC) project is designed to collect information on innovative programs employed by prosecutor offices, to assist prosecutors in developing and deploying new programs, and to expand their research capabilities. The main areas of focus are the prevention of violent crime, community engagement, and encouraging victim/witness cooperation.

Many of the nation's prosecutors relish the opportunities presented by their expanded roles in the criminal justice system and have adopted innovative programs. However, the nature of their new initiatives is impacted by the size and resources of the organization. A large office with plentiful resources can implement multiple forward-thinking initiatives that impact a large segment of their population. Conversely, a smaller jurisdiction may only have the capacity to develop a smaller, yet still meaningful initiative.

Innovative programs described in this paper are newly developed initiatives undertaken by an office in keeping with its unique resources and the needs of its community. Ideas for new programs are freely shared amongst prosecutors and can nevertheless be innovative when they are introduced, implemented and customized to suit the needs of a particular office. For instance, a program that would be considered innovative in a smaller office, may be more common-place in a larger office. We seek to highlight those offices that are embracing their new role by working within their capacity to bring effective and proactive programs to their communities.

As part of the NPC project, a prosecutor survey was administered during 2019 at the county level across the United States on a state-by-state basis. The survey captures baseline information about prosecutor offices and collects information about the various evolving and non-traditional aspects of a prosecutor's office, such as alternatives to incarceration, preventing violent crime, community outreach, victim/witness support, and treatment programs.

## Overview of Michigan Prosecutor Programs

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Michigan prosecutor offices range in size and in the types of communities that they serve. Some serve in large bustling cities and others work in suburban districts or rural areas. The available resources and staff vary greatly between the offices, as does the needs of their communities.

Out of 83 total counties, over half (54.2%) of the prosecutors in Michigan participated in the NPC survey. The survey demonstrates that the responding Michigan prosecutors participate in a wide variety of programs and initiatives. These programs include drug courts, victim and witness assistance, truancy initiatives, community collaborations, youth education programs, and restitution support.<sup>2</sup>

The survey found that 82% of Michigan's prosecutors engage in problem solving courts or other programs that offer alternatives to incarceration. Almost every office (93%) offered victim assistance, and over half had restitution programs (58%), witness assistance programs (58%), and victim services even when there is no arrest (62%). Community programs that prosecutors either run or participate in are also common. Michigan prosecutors are involved with truancy programs (56%), co-located child abuse services (58%), youth education programs (53%), and community engagement collaborations (62%). They also have violence reduction programs (51%), co-located domestic violence programs (42%), and adult education programs (44%). Some even participate in neighborhood courts (9%) and sponsor sports programs (7%), neighborhood cleanup (7%), and re-entry programs (7%).

2. Solomon, S.E., Uchida, C.D., Connor, C., Swatt, M.L., & Revier, L. (2019) *National Prosecutors' Consortium, Survey Highlights: Michigan, Justice & Security Strategies*. The survey report is available from the Michigan District Attorney's Association.

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## Innovative Programs - Examples

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To demonstrate the variety of innovative programs initiated by prosecutors in Michigan, three offices are highlighted: Kent, one of the largest counties in Michigan, Muskegon, a mid-sized county on the southwest side of the state near Lake Michigan, and Marquette, a smaller county on the east side of the state near Lake Superior.

The Kent program provides a restorative justice opportunity for juvenile offenders with prior offenses. The Muskegon EXIT program aims to eliminate recidivism of parents with felony convictions through the provision of education and employment opportunities. Finally, the Marquette Prosecuting Attorney's Office with just six full time attorneys runs a robust program for domestic violence victims called the Blueprint. In this program, there is a coordinated community response to domestic violence with an ever-present focus on how the overall criminal justice system response impacts victim safety and offender accountability.



Offenders who successfully complete the program will not have a juvenile conviction on their record. While juvenile convictions are not public in Michigan, they can be used to determine an adult sentence if the juvenile commits and offense as an adult in the future. Participating victims also benefit by having a larger voice in what occurs in their case.

The pilot program has been successful and there are plans in place to expand the initiative to include virtually all juvenile offenses. Because restorative justice is a radical departure from traditional law enforcement, the partners have also planned some educational outreach to the citizens of Kent County to further bolster community support.





In Phase 1, which lasts approximately 10 weeks, participants leave the jail to go to the EXIT Center where they receive a mentor and participate in programs including college level courses in manufacturing, adult education, budgeting/finance, fatherhood, literacy, substance abuse recovery, and life skills. Upon completion of Phase 1, participants begin Phase 2 in which they start attending manufacturing tech labs at a local community college and simulated work environments at Good Will. This phase is important in preparing the participants for the demands of a normal workday, as most of them have never worked full time. In Phase 3, participants are scheduled for interviews with the program's employer partners in the manufacturing industry. At this point in the program and as a result of the educational and practical experience in previous phases, the goal is that the participants are competitive candidates for employment and will soon be able to enter the work force.

The results have been outstanding. Over 300 participants have entered the program since 2014 and over 90% have completed both Phase 1 and 2, leading to an employment rate of over 60%. More importantly, the recidivism rates for program participants are remarkably low— for those who completed Phase 1, the re-incarceration rate is 16%. For those who completed Phases 1 and 2, the re-incarceration rate is even lower at 14%. In comparison, those who did not complete Phases 1 or 2 experienced a re-incarceration rate of 75%. These positive results demonstrate the value of investing in proactive programs and are a prime example of how prosecutors can take the lead on criminal justice programs and showcase the results to all levels of government.



Representatives from the Administrative Team of EXIT, Muskegon County Public Defender's Office, Sheriff Michael Poulin, Muskegon County Sheriff's Office, State Probation, Muskegon

# Marquette County Prosecuting Attorney's Office

**Population: 66,502**  
**District Attorney Staff:**  
**6 prosecutors**

## Domestic Violence Blueprint for Safety

In 2015, the Prosecutor was awarded a \$411,000.00 grant to implement the Domestic Violence Blueprint for Safety Project in Marquette County. Praxis International developed the Blueprint for Safety as a result of work done by Dr. Ellen Pence, one of the co-founders of the Duluth Domestic Abuse Intervention Project. The Blueprint looks at all the aspects of a coordinated community response to domestic violence with an ever-present focus on how the overall criminal justice system response impacts victim safety and offender accountability.



The Blueprint was first implemented in St. Paul, MN after a multi-year, in depth review and analysis of every aspect of how the criminal justice system responds to domestic violence. Key to this analysis was the involvement and commitment from the community-based advocacy programs, law enforcement, the courts, and other service providers. As part of this review many gaps in service were identified that compromised victim safety and reduced offender accountability. The Blueprint was replicated in Duluth, New Orleans, and Memphis, however Marquette was the first county wide and rural adoption and implementation of Blueprint in the United States.

The Blueprint process requires all partners to review their response through various multi-disciplinary practice assessments that require partners to: evaluate reports and cases; map systems

responses and responsibilities; audit systems responders through activities such as law enforcement ride-a-longs, observation of partners work, and interviewing partners to better learn the mission and purpose of their job. While this is occurring, focus groups are used to obtain input from victim/survivors so the system responders can receive feedback. This period of due diligence often takes one to two years to complete before the formal Blueprint is adopted, and then “launched” at a public community event where all partners as well as community leaders and the media attend.

Marquette County launched its Blueprint for Safety in December 2017 at a public event held at Northern Michigan University. The formal launch included a preview of a comprehensive strategy that was adopted by all parties, which included policies, procedures, forms, best practices, and training requirements.

In September 2018, the office received a \$450,000 federal grant from the Office on Violence Against Women to continue the Blueprint work in Marquette County. The Prosecutor identified an isolated high crime area of the county that constituted 9.4% of the total county population, yet accounted for 23.4% of the total charged domestic violence cases in the county in which to implement funding resources. Funding is also being used to continue the position of a countywide Blueprint Coordinator who works for the Prosecutor, and a countywide Blueprint Advocate who works for the Women’s Center. The advocate conducts focus groups with victim survivors, collects data, and provides constructive feedback to project partners. The coordinator works with the advocate and project partners, collects data, and makes recommended changes to Blueprint procedures to address identified gaps that reduce victim safety and offender accountability.

